

BAKER DECLARATION

EXHIBIT BD

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE STATE OF WASHINGTON,)
Plaintiff,)
vs.) No. 3:17-cv-05806-RJB
THE GEO GROUP, INC.,)
Defendant.)

30(B)(6) DEPOSITION UPON ORAL EXAMINATION
OF GEO GROUP, INC.
IN THE PERSON OF
RYAN KIMBLE

9:50 a.m.
July 9, 2018

1250 Pacific Avenue 105
Tacoma, Washington 98401-2317



REPORTED BY: JACQUELINE L. BELLOWS, CCR 2297



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1 A. It's run like every facility that I've ever
2 been around. Yes. If it wasn't the detainees, then it
3 would be a member of staff.

4 MS. MELL: Move to strike.

5 Q (By Ms. Baker) How would the work currently
6 done by detainees get done if there was no Voluntary
7 Work Program?

8 MS. MELL: Object to the form of the question.

9 A. To tell you the truth, I -- this is a standard
10 program that ICE has. It's not part of our contract.
11 Are you talking like if we were a hotel, we do the same
12 services as like a hotel. It's just kind foreign to me
13 because every place I've been, it's had the same.

14 Q (By Ms. Baker) What duties do you have in
15 relation to the Voluntary Work Program?

16 A. I provide --

17 MS. MELL: Let me ask for a point of
18 clarification. When you sue "you" in that context, are
19 you now asking him a personal question as to his role?
20 Or are you asking a Geo speaking agent question?

21 MS. BAKER: Actually, let's skip that
22 question.

23 Q (By Ms. Baker) How do detainee-workers apply
24 to work in the Voluntary Work Program?

25 A. They provide a -- what is known as a "kite."



1 They ask to be a part of the program.

2 Q. Is a kite a physical document? Or is it an
3 electronic document?

4 A. It can be either. We have paper kites. The
5 facility has paper kites. And they also have a system
6 that is an ICE system. It's called Talton.

7 Q. Can you spell it for me.

8 A. T-A-L-T-O-N.

9 Q. And what is Talton?

10 A. It's a tablet that's basically a -- how they
11 can communicate as a kite, the detainees.

12 Q. So when you say the tablet allows detainees to
13 "communicate as a kite," can you provide me more
14 information with what that means?

15 A. It's an electronic version of a paper kite.
16 They would consider writing it out. They can type it
17 and send it electronically.

18 Q. Where does that -- where does this electronic
19 kite go to?

20 A. That -- it's all an ICE program. It's an
21 ICE -- ICE has the national contract. It's completely
22 an ICE function.

23 Q. So if a detainee sends an electronic kite via
24 Talton, who receives the -- who's the recipient on the
25 other end of the electronic transmission?



1 MS. MELL: Objection; calls for speculation.

2 Q (By Ms. Baker) Do Geo employees review kites
3 that are sent via Talton?

4 A. Directly to -- yes.

5 Q. Do you Geo employees review kites that are
6 sent via Talton for when detainees request the
7 opportunity to participate or work in the Voluntary Work
8 Program?

9 A. Yes.

10 Q. What happens once a Geo employee reviews a
11 kite requesting a detainee submits asking to participate
12 in the Voluntary Work Program?

13 A. Then they, the detainee, will sign a sheet
14 saying that they are working for the ICE Voluntary Work
15 Program and that they know that ICE will reimburse them
16 a dollar a day for their participation in that program.

17 Q. What does the Geo employee do once they
18 receive the electronic kite request form from a detainee
19 to participate in the Voluntary Work Program?

20 A. They will put their name on a list for the
21 area that they decided they wanted to work. And --

22 Q. "They"? When you say "they" --

23 A. Sorry.

24 Q. The Geo employee will do --

25 A. The Geo employee will put the detainee's name



1 on a list of volunteer that would like to participate in
2 that activity.

3 Q. Then what happens? How is a detainee assigned
4 a particular work assignment in the Voluntary Work
5 Program?

6 A. When a detainee voluntarily decides that they
7 don't want to do that anymore, we go to the list. Then
8 the next person on the list, if we -- Geo will ask them
9 if they still would like to this. If not, they
10 voluntarily sign that they don't want to do that. They
11 can sign up for something else.

12 Q. Do detainees have the ability to choose their
13 work assignments in the Voluntary Work Program?

14 A. Yeah. Yes.

15 Q. How do they do so?

16 A. They do by the kite saying, I'd like to work
17 in the kitchen. I would like to work in the pod. I
18 would like to work in laundry. And --

19 Q. Are all of the electronic kites that are sent
20 via Talton stored? Electronically retained in that
21 system?

22 A. They should be, yes.

23 Q. What are the retention protocols for Talton?

24 A. It's -- again, it's not our program. It's
25 ICE's program. It's ICE's contract. We just have



1 detainee-workers work in the kitchen? So an individual
2 detainee who's been assigned to kitchen duty, do they
3 work seven days a week on their shift?

4 MS. MELL: Object to the form of the question.

5 A. Per ICE's rules, they -- it's five days if I'm
6 not mistaken. It's no more than -- if it were to go --
7 and I've never seen this happen because we don't track
8 their times. I think in their documentation, it says
9 something in the form of 40 hours. But there would be
10 no way to track that 'cause there no, there's no
11 average. Like I said, pop orders, we average 30 minutes
12 for pop orders. That was what the average on that sheet
13 was.

14 And they just sign a voluntary sheet that says
15 that they worked that day. And those -- yeah, that's
16 what they go off of, or that's what ICE goes off of for
17 reimbursement.

18 Q (By Ms. Baker) Okay. So I want ask about the
19 laundry.

20 A. Sure.

21 Q. How many detainee-workers participate in the
22 laundry?

23 A. In the laundry program, if I'm not mistaken,
24 it's between 4 and 8, depending on, like I said, if they
25 have had turnover and then if they decide they didn't



1 want to do that anymore. It just depends on -- it
2 depends on the day if medical has said that they can't
3 work. So it's anywhere in between those.

4 Q. So per day, there are approximately four to
5 eight detainees that work in the laundry?

6 A. There's --

7 MS. MELL: Object to the form of the question.

8 A. There going to be more than that because there
9 is -- we have a laundry officer during the day. And we
10 have a laundry officer on the second shift. They have
11 opportunity to come out for while, the laundry officer
12 is in that position.

13 Q (By Ms. Baker) In a day, how many
14 detainee-workers work in the laundry in the Voluntary
15 Work Program?

16 A. Like I said, it would be four to eight in the
17 morning, four to eight in the afternoon and then in the
18 evening 'cause, like I said, we're trying to provide as
19 many opportunities -- we're always trying to provide as
20 many opportunities as possible per ICE's request.

21 Q. I'm just trying to get an idea of the number.

22 A. That's the best I can give you.

23 Q. So is it four to eight detainee-workers in the
24 daytime and then potentially four to eight detainees in
25 the afternoon and then another four to eight detainees



1 in the evening? Is that correct?

2 A. To my knowledge, yes.

3 Q. So there are three shifts of laundry workers
4 in the laundry?

5 MS. MELL: Object to the form of the question.

6 A. It wouldn't be shifts. It's not a shift.

7 Q (By Ms. Baker) Can you go back to Exhibit 3.

8 A. Sure.

9 Q. On the last page, there's a job description
10 that say "Laundry Worker." And the third line is:
11 "Normal work hours." It says "day and swing shift."

12 A. That is the day and the swing for the officer
13 that's there. It's not the -- I mean that's on there.
14 There are officers. There is a day officer and a night
15 officer that's in there. So that would be the
16 opportunity that's available for them 'cause they would
17 be able to go in there because of the equipment that's
18 in that room without an officer that's assigned.

19 Q. Under "Special Requirements," that second
20 bullet you can see, it says: "Swing shift workers must
21 be Level 2 orange."

22 A. That would be for the second officer. That
23 would be the time they can come out for the second
24 officer. The second officer is there 'cause we have a
25 day-shift officer and then a swing-shift officer. So



1 that would be the times that they were able to come out
2 there because of the --

3 Q. So your swing-shift officer has to be a
4 Level 2 orange?

5 A. No.

6 Q. The Geo employee?

7 A. No. That would be the time that they're
8 available to come out, but they would have to be no more
9 than a Level 2 orange based on classification to be able
10 come out there because of the commingling rules that we
11 have based on ICE.

12 Q. So there are three shifts or three ranges of
13 opportunities for detainees to work in the laundry every
14 day; is that right?

15 A. Well, I would say there's a day shift and a --
16 there's is day-shift officer and a swing-shift officer.
17 That's when the opportunities are provided them, during
18 the day shift and during the swing shift.

19 Q. How many detainees are able to work in the
20 Voluntary Work Program in the laundry per day?

21 A. Like I said, between 12 and -- all right. 12
22 and I guess the total would be 24.

23 Q. What do detainee-workers do when they work in
24 the laundry?

25 A. They are, they are using the equipment that's



1 in there to clean detainee uniforms, detainee bedding,
2 regular laundry for the detainees. That's that the sole
3 purpose of the laundry.

4 Q. When you say "using the equipment in there,"
5 can you describe the equipment --

6 A. There is laundry machines. There's four
7 laundry units, and then there's drying units. And those
8 are the machines that would be used.

9 Q. So detainees are responsible for washing all
10 of the uniform, detainee uniforms, in that facility; is
11 that correct?

12 A. For the detainees, yes.

13 Q. Detainee-workers in the Voluntary Work Program
14 are responsible for washing all of the detainee bedding
15 for the facility; is that correct?

16 MS. MELL: Object to the form of the question.

17 A. They wash sheets and -- yes, sheets and pillow
18 cases.

19 Q (By Ms. Baker) Do detainees wash anything
20 or -- in the laundry, are detainees responsible for the
21 maintenance of anything other than the detainee uniforms
22 or detainee bedding?

23 MS. MELL: Object to the form of the question.

24 A. The only thing that I know that's washed, I
25 think it's just done by the officers. And that would be



1 some of the mops that the detainees used. It's a
2 special thing for them to do. But the detainees do do
3 the laundry for the other detainees that are in the
4 facility.

5 Q (By Ms. Baker) So earlier we talked about the
6 start time for breakfast in the kitchen. And in terms
7 of that, is there a start time for work and an end time
8 for work in the laundry for detainees?

9 A. If I'm not mistaken, I think it's start time
10 of 7:00, 7:00 in the a.m. is when the day shift, first
11 shift, starts. And then the second shift officer comes
12 on at 3:00. So the opportunities would be during that
13 time.

14 Q. So the detainee-workers would start working in
15 the laundry at 7:00 a.m.?

16 A. They would come out after that. They would be
17 told that the officer's in there. And if they decided
18 that they wanted to go again -- because they could just
19 refuse to go from the pod. They could say I don't want
20 to do that that day and refuse to go. And that's fine.

21 Q. Is movement of detainees for work in the
22 laundry room tethered to movement within facility
23 generally?

24 A. Yes. That would be somewhere after the
25 7:00 o'clock when they can be used in there. I'd say



1 A. There would be nothing -- no, I mean
2 there's -- let me think. The law library is just a
3 bunch of computers that have access for the detainees to
4 go and research their personal cases.

5 Q. Do detainee-workers clean the law library?

6 A. I think -- I'm pretty sure that there is a
7 schedule form to -- not schedule -- I don't know. Let
8 me think about that for a second. I know that there's a
9 person that -- there's an opportunity in the barber shop
10 for a barber -- the person to come in and clean. I just
11 don't remember if there's an opportunity for -- it's all
12 in the same area. I would think that there has to be
13 because there's a multipurpose room that's also there.
14 I'm just not sure that the officer doesn't clean that
15 himself. I'd have to look and see. 'Case it's all in
16 the same, in the same area.

17 Q. Can you tell me about the barbershop at the
18 Northwest Detention Center.

19 A. It is a room that is specific for the barbers.
20 And it has, I think, four or five barber chairs. And
21 they bring in -- the detainees decide if they want to be
22 a -- basically a barber or not. And they cut each
23 other's hair inside this little barbershop area.

24 Q. So any detainee can cut any other detainee's
25 hair?



1 A. They have to apply to be a barber. They have
2 go through and get medically cleared. And then they can
3 be a barber.

4 Q. Do they have any particular skills in cutting
5 hair? Or are they trained to cut hair?

6 A. No. But it's usually known throughout back
7 people that can. And those are usually the people that
8 apply for it. There's no particular skill that's looked
9 at: Were you a barber on the outside? There's nothing
10 like that. They just apply for it. Not even apply for
11 it. They just ask to volunteer for it.

12 Q. How many barbers, detainee-workers act as
13 barbers, at any given time?

14 A. It could be anywhere from six to eight. And
15 they're used as needed. So it could be, you know -- it
16 could be they have one day of barber a week. Or they
17 could have three or four days of barber a week, based on
18 their classification and then based on who is out and
19 has availability to go to the barbershop at the time
20 because there are commingling issues.

21 Q. The amount of work that a detainee-barber or
22 number of days a detainee barber works is dependent on
23 how many detainees --

24 A. Based on the need, yeah.

25 Q. And is there a position in the Voluntary Work



1 many tools, scoops, stuff like that. They can
2 potentially leave the kitchen and be used as a weapon
3 that there's just different protocols for that.

4 So in the janitor's closet because these are
5 bigger machines and there are mops and dusters, stuff
6 like that, it's going to be shadow boarded. And there's
7 going to be an inventory sheet. So they look at that to
8 ensure that everything is put back there. It wouldn't
9 be a specific one like this list.

10 Q. Now I want ask you a couple follow-up
11 questions. Who supervises the detainee-workers when
12 they perform work in the Voluntary Work Program in their
13 pods?

14 MS. MELL: Object to the form of the question.

15 A. In their pods? The only one that would
16 supervise them would be the officer that's in that pod.
17 But he's supervising the entire pod. He's supervising
18 everybody that in that pod.

19 Q (By Ms. Baker) Barbers, the detainee-workers
20 who act as barbers, who is supervising the detainee
21 barbers when they're cutting another detainee's hair?

22 A. There is an officer that is in the, in the, in
23 the law library area. Like I said, that's all one area.
24 And that officer looks at the detainees that are in the
25 law library area. And there's a window that is used for



1 seeing the people that are in the barbershop area.

2 Q. Okay. Who supervises the individuals, the
3 detainee-workers, when they clean the medical areas?

4 MS. MELL: Object to the form of the question.

5 A. So again, that would be -- there is an officer
6 that is assigned to medical. And that officer would be
7 over everybody that is in that medical area that is a
8 detainee.

9 Q (By Ms. Baker) When it comes to the detainees
10 who clean the intake area, who supervises those
11 detainee-workers?

12 MS. MELL: Object to the form of the question.

13 A. That could be a multitude of anybody. There's
14 multiple people that are in -- there's multiple people
15 that are in intake at any one time. So whoever is there
16 is the standard procedure.

17 Q (By Ms. Baker) And when you say "multiple
18 people," you mean Geo officers?

19 A. Geo officers, ICE officers. That's a multiuse
20 area. There's multiple people that are in that area
21 during that time.

22 Q. Can you -- let's go back to Exhibit 3.

23 A. Sure.

24 Q. These are the job descriptions. Earlier you
25 indicated that Geo does not terminate individuals from



1 Q. Where would I find that document? Where would
2 you go to find that document if you wanted to give it to
3 me as a responsive document?

4 A. I'd have to go to the kitchen. It's posted on
5 the walls. And I'd have to go through the manager of
6 the kitchen to get that document.

7 Q. And then, page 634, there's a "Facility
8 Cleanup Daily Cleaning Schedule." Is there -- do you
9 know whether or not there's current version of this?

10 A. I do not know. Like I said, this is dated
11 from 2011. It's pre me at the facility. I have not
12 seen a schedule that looks like this, no.

13 Q. Is that the same for the "Housing Unit
14 Cleaning Schedule"?

15 A. That is correct.

16 Q. So I want to do a couple of follow-ups before
17 we break for lunch. Earlier you indicated that one of
18 the duties that a detainee-worker can do in their pod is
19 doing touch-up painting.

20 MS. MELL: Object to the form of the question.

21 Q (By Ms. Baker) Can you tell me about that --

22 MS. MELL: Object to the form of the question.

23 Q (By Ms. Baker) -- opportunity in the Voluntary
24 Work Program?

25 A. It's just touch-up painting. It's just



1 something, if the communal areas need touch up, then
2 they -- if there's a scratch, they paint over the
3 scratch. If there's something like that, whenever it
4 becomes a noticeable eyesore, I guess, to the communal
5 living area, they will have them come out and give them
6 the pieces that they need to paint over and just keep a
7 clean environment.

8 Q. Are they paid a dollar a day through the
9 Voluntary Work Program for this?

10 MS. MELL: Object to the form of the question.

11 A. They're part of the Voluntary Work Program,
12 yes.

13 Q (By Ms. Baker) Are they paid a dollar a day?

14 A. They'll be paid if they -- they'll be paid the
15 dollar when they sign the sheet, that is, the voluntary
16 worksheet where they sign their name that they worked
17 that day. Yeah.

18 Q. So part of the Voluntary Work Program is
19 painting inside of the living areas; is that correct?

20 A. It would be touch-up painting, yes.

21 Q. Do detainees ever paint -- do larger scale
22 painting projects in the facility?

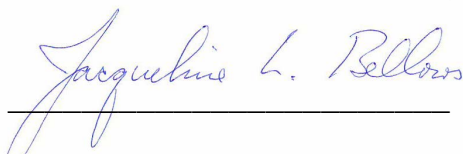
23 A. We've had detainees that have volunteered.
24 And they've gone directly through ICE. And they provide
25 a description of what they want to do and a small



REPORTER'S CERTIFICATE

I, JACQUELINE L. BELLOWS, the undersigned
Certified Court Reporter pursuant to RCW 5.28.010 authorized
to administer oaths and affirmations in and for the State of
Washington, do hereby certify that the sworn testimony
and/or proceedings, a transcript of which is attached, was
given before me at the time and place stated therein; that
any and/or all witness(es) were duly sworn to testify to the
truth; that the sworn testimony and/or proceedings were by
me stenographically recorded and transcribed under my
supervision, to the best of my ability; that the foregoing
transcript contains a full, true, and accurate record of all
the sworn testimony and/or proceedings given and occurring
at the time and place stated in the transcript; that a
review of which was requested; that I am in no way related
to any party to the matter, nor to any counsel, nor do I
have any financial interest in the event of the cause.

WITNESS MY HAND AND DIGITAL SIGNATURE this
27th day of July, 2018.



Jacqueline L. Bellows
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